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HAMRE, SCHUMANN, MUELLER & LARSON, P.C.
P.O. BOX 2902
MINNEAPOLIS, MN 55402-0902

EXAMINER	
DENG, ANNA CHEN	
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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 10/500,919
Filing Date: July 08, 2004
Appellant(s): RAJU ET AL.

James A. Larson, Reg. No. 40,443
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed on 3/31/2010 appealing from the Office action mailed 5/29/2009.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

Turner et al. US Patent 6,230,309 B1, Date of Patent: May 8, 2001

Goodwin et al. US Patent 6,199,195 B1, Date of Patent: Match 6, 2001

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 10-14, and 16-17 are rejected under 35 U.S.C. 102 (e) as being anticipated by Turner et al. US 6,230,309 B1 (hereinafter Turner), Applicant submitted IDS.

Claim 10 (New):

Turner discloses:

A tool for building an information system onto a computer-readable medium comprising (Turner, col. 4, lines 41-50, a design tool for assembling component objects to form an object-based computer system application, the design tool comprising)**:**

a builder component that receives one or more transaction structures and one or more information views that form a business process, and creates a plurality of definitions using the one or more transaction structures and the one or more information views (Turner, col. 4, lines 41-67, a declarative user input

interface mechanism configure to be operable to provide an input structure for inputting user declaration specifying operative interactions between component object (form a business process); and a design engine configured to be operable automatically to generate in response to input user declarations, an application design definition modeling an application infrastructure for managing component object interactions…the design engine is configured to be operable automatically to generate, in response to input user declarations, at least on application view definition for managing component object interaction (form a business process), and to cause the application design definition to reference at least one application view definition. In this manner, a plurality of application definitions, each representing an application view); **and**

an executor engine component that uses the plurality of definitions created by the builder component to assemble the information system at run time (Turner, col. 5, lines 20-37, the design engine is configured automatically to generate, in response to input user declarations, a match between the application view field definition and a parameter of an associated component object operation. These mechanisms facilitate the many-to-many linkages which are needed between objects to control information flow between those objects (assemble the information system)…a runtime tool comprising an application engine responsive to an application design definition modeling an application infrastructure for managing component object interactions, wherein the application engine is configured to be operable at runtime automatically to create application view instances from respective application view definitions for managing runtime component object interactions for the application. The

runtime tool is thereby able to interpret the application design definition in order to generate application view instances for managing runtime component object);

wherein after the information system is assembled, the information system is modifiable or expandable by one or more additional transaction structures and/or one or more additional information views without any down time (Turner, for example, FIG. 7B, col. 15, lines 12-38, A Detail Operation Effect 68 is one which causes information about the current row in the Application View 80 to be refreshed or expanded…An Update Operation Effect 68 is one which causes values in the current row of an Application View 80 to be updated…An Add Row Operation Effect 68 is one which causes the used row property of the Application View 80 to be increased by one and values returned from Application View Field Matches 64 to be mapped into that new row. …When an Add Row Operation Effect 68 is produced, it raises an "Expand" type Application View Event 70).

Per Claim 11 (New):

Turner discloses:

wherein each of the one or more transaction structures comprises one or more data containers, one or more input fields, one or more graphical user interface definitions, one or more validation statements, one or more process maps, or one or more print formats (Turner, for example, col. 2, lines 41-43, represent information from components to the end user of the application through the use of software routines and the provision of a graphical user interface; also, col. 5, line

66 through col. 6, line 10, there is provided a user interface configuration tool for automatically configuring a user interface based on an application design definition modeling an application infrastructure; col. 5, lines 4-10, in response to input user declarations, at least one application view field definition for detailing a field of the at least one application view definition. The application definition can, in this manner, be implemented as a table in database).

Per Claim 12 (New):

Turner discloses:

a database wherein the definitions created by the builder component are stored as definition data in the database and accessed by the executor engine component (Turner, for example, col. 21, lines 35-36, the information is stored in an Access database since Access databases have a high degree of interoperability with Visual Basic).

Per Claim 13 (New):

Turner discloses:

wherein after the information system is assembled, the builder component is capable of receiving the one or more additional transaction structures and/or the one or more additional information views and creating one or more additional definitions, and the executor engine component is capable of assembling the one or more additional definitions created by the builder component to modify and

expand the existing information system without any down time (Turner, for example, FIG. 7B, col. 15, lines 12-38, A Detail Operation Effect 68 is one which causes information about the current row in the Application View 80 to be refreshed or expanded…An Update Operation Effect 68 is one which causes values in the current row of an Application View 80 to be updated…An Add Row Operation Effect 68 is one which causes the used row property of the Application View 80 to be increased by one and values returned from Application View Field Matches 64 to be mapped into that new row. …When an Add Row Operation Effect 68 is produced, it raises an "Expand" type Application View Event 70).

Per Claim 14 (New):

Turner discloses:

wherein the executor engine component comprises: a process request server that processes one or more transaction or information requests (Turner, for example, col. 5, lines 39-65, the application engine is configured to operable at runtime to provide automated management of data values provided to operation and data values provided by operation when the operations are invoked by an application view instance…); **and**

a graphical user interface layer that presents a user interface of the information system to a user, receives one or more transaction or information requests, and submits the one or more transaction or information requests to the process request server (Turner, col. 2, lines 41-43, represent information from

components to the end user of the application through the use of software routines and the provision of a graphical user interface; also, col. 5, line 66 through col. 6, line 10, there is provided a user interface configuration tool for automatically configuring a user interface based on an application design definition modeling an application infrastructure ...).

Per Claim 16 (New):

Turner discloses:

wherein the one or more transaction structures, the one or more information views, the one or more additional transaction structures or the one or more additional information views is received via the Internet (Turner, FIG. 46, col. 40, lines 53-61, "FIG. 46 is a schematic representation of a multicomputer computing system comprising a plurality of computers C1, C2, C3, etc, connected via a network N…The network N can be any form of network, whether a LAM, WAM, or a loosely connected network via the Internet or the like").

Per Claim 17 (New):

This is method version of the claimed tool discussed above (claim 1), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claim15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Turner et al. US 6,230,309 B1 (hereinafter Turner), in view of Goodwin et al. US 6,199,195 B1 (hereinafter Goodwin), applicant submitted IDS.

Per Claim 15 (New):

The rejection of claim 10 is incorporated, and further, Turner does not explicitly teach **wherein the information system is domain-neutral**. However, Goodwin teaches **wherein the information system is domain-neutral** (Goodwin, col. 12, lines 45-48, "The gold of the unified model is to describe high level application business objects that are familiar to developers. The meta data are object that describe the application business objects in a domain-independent matter").

It would have been obvious to one having ordinary skill in the computer art at the time of the invention was made to modify an unique versatile executor engine disclosed by Turner to include **wherein the information system is domain-neutral** using the teaching of Goodwin. The modification would be obvious because one of ordinary skill in the art would be motivated to automatically generated source code objects within extensible object frameworks and links to enterprise resources as suggested by Goodwin (Goodwin, col. 1, lines 10-12).

(10) Response to Argument

Appellant argued:

1. Turner et al. fails to disclose all of the features of claim 10.

In particular, nowhere does Turner et al. disclose or suggest that after the information system is assembled, the information system is modifiable or expandable by one or more additional transaction structures and/or one or more additional information views without any down time (Brief, page 4).

However, column 15, lines 12-38 and Figure 7B of Turner et al. are related to inputted data values that can not be considered as the transaction structures and information views of claim 10. As recited in claim 10, transaction structures and information views form a business process and are used by the builder component to create a plurality of definitions which are then used to assemble the information system at runtime … this portion of Turner et al. merely describes how data values inputted after the application is assembled are managed by specific component objects of the application that are arranged within an assembled application infrastructure, and does not suggest that the data values inputted after the application is built are used to modify or expand the application infrastructure. The ability of refresh, add or modify rows within the framework of an already built application infrastructure does not equate to transaction structures or information views that define the framework of an information system (Brief, page 5).

Examiner response:

Turner does teach and suggest all the limitations in the pending claim 10. In particular, Turner disclose wherein after the information system is assembled, the information system is modifiable or expandable by one or more additional transaction structures and/or one or more additional information views without any down time (Turner, for example, FIG. 7B, RUNTIME DATA MANAGEMENT, col. 15, lines 12-38, A Detail Operation Effect 68 is one which causes information about the current row in the Application View 80 to be refreshed or expanded…An Update Operation Effect 68 is one which causes values in the current row of an Application View 80 to be updated…An Add Row Operation Effect 68 is one which causes the used row property of the Application View 80 to be increased by one and values returned from Application View Field Matches 64 to be mapped into that new row. …When an Add Row Operation Effect 68 is produced, it raises an "Expand" type Application View Event 70).

Here, Turner teaches after the information system (application) is assembled (Appellant's own words, "Thus, this portion of Turner et al. merely describes …after the application is assembled are managed by specific component objects of the application that are arranged within an assembled application infrastructure", (see appellant argument above)), the information system (application) is modifiable or expandable by one or more additional information views (an add row operation cause the used row property of the Application View 80 to be increased by one and values (information) returned from Application View Field Matches 64 to be mapped into that new row without any down time (Turner teaches a runtime environment, see Turner, col. 5, lines

26-37, a runtime tool comprising an application engine responsive to an application design definition modeling an application infrastructure for managing component object interactions …). Thus, Turner clearly disclose after the application is assembled, the application is modifiable or expandable by adding rows of additional information views (that defines the application) without any down time that reads on limitation "after the information system is assembled, *the information system is modifiable or expandable by* one or more additional transaction structures and/*or one or more additional information views* without any down time" in the pending claim 10 of the present application.

Appellant argued:

2. Turner et al. fails to disclose all of the features of claim 17.

In particular, nowhere does Turner et al. disclose or suggest modifying and expanding the information system without downtime, if one or more additional transaction structures and/or one or more additional information views are received by the builder (Brief, page 7).

In contrast, column 15, lines 12-38 of Turner et al. … this portion of Turner et al. merely describes how data values inputted after the application is assembled are managed by specific component objects of the application that are arranged within an assembled application infrastructure, and does not suggest that data values inputted after the application is built are used to modify or expand the application infrastructure. The ability to refresh, add or modify rows within the framework of an already built

application infrastructure does not equate to transaction structures or information views that define the framework of an information system (Brief, page 8).

However, nowhere does column 4, lines 41-67, column 5, lines 20-37 or any other portion of Turner et al. disclose modifying and expanding the application infrastructure without any downtime, if one or more additional user declarations are received by the design tool (Brief, page 10).

Examiner response:

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., if one or more additional user declarations are received are received by the design tool) are not recited in the rejected claim 17. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Turner does disclose all of the features of claim 17, in particular, Turner discloses modifying and expanding the information system without downtime, if one or more additional transaction structures and/or one or more additional information views are received by the builder (Turner, for example, FIG. 7B, RUNTIME DATA MANAGEMENT, col. 15, lines 12-38, A Detail Operation Effect 68 is one which causes information about the current row in the Application View 80 to be refreshed or expanded…An Update Operation Effect 68 is one which causes values in the current

row of an Application View 80 to be updated…An Add Row Operation Effect 68 is one which causes the used row property of the Application View 80 to be increased by one and values returned from Application View Field Matches 64 to be mapped into that new row. …When an Add Row Operation Effect 68 is produced, it raises an "Expand" type Application View Event 70; also, see col. 5, lines 30-37, the application engine (builder) is configured to be operable at runtime automatically to create application view instances from respective application view definitions form managing runtime component object interactions for application (business process). The runtime tool is thereby able to interpret the application design definition in order to generate application view instances for managing runtime component object interactions)

Turner clearly discloses modifiable or expandable the application (information system) without downtime (runtime environment, see Turner, col. 5, lines 30-37) if one or more additional information views received by application engine (builder, operable at runtime) that read on pending claim 17 of the present application.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Anna Deng/

Primary Examiner, Art Unit 2191

5/7/2010

Conferees:

/Wei Y Zhen/

Supervisory Patent Examiner, Art Unit 2191

/Lewis A. Bullock, Jr./

Supervisory Patent Examiner, Art Unit 2193